

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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M.D., individually and on behalf of Mam.D. and	:	
Mar.D.,	:	
	:	
Plaintiff,	:	
	:	21 Civ. 9180 (LGS)
-against-	:	
	:	<u>ORDER</u>
NEW YORK CITY DEPARTMENT OF	:	
EDUCATION,	:	
	:	
Defendant.	:	
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LORNA G. SCHOFIELD, District Judge:

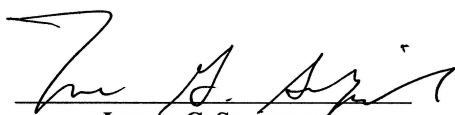
WHEREAS, the Second Circuit issued a case management order on May 24, 2022, and amended that order on June 8, 2022, in *H.C. v. N.Y.C. Dep't of Educ.*, No. 21-1582, and related appeals. The case management order provides that appeals filed after May 24, 2022, that raise issues of attorney fees would be held in abeyance and remanded following decision in *H.C.* and the tandem appeals.

WHEREAS, an Opinion and Order issued March 17, 2023 (the “Opinion”), granted summary judgment to Plaintiff and awarded him fees in the amount of \$36,007.80, plus post-judgment interest. On April 14, 2023, Plaintiff appealed. On April 17, 2023, Plaintiff filed an amended notice of appeal.

WHEREAS, on June 21, 2023, the Second Circuit issued a decision in *H.C.* and remanded this case “for further proceedings in the district court following this Court’s determination” of those appeals. It is hereby

ORDERED that, by **June 29, 2023**, the parties shall file a joint letter stating their respective positions on whether the Opinion should be reconsidered in light of the Second Circuit’s decision, and/or whether any other proceedings are appropriate.

Dated: June 22, 2023
New York, New York


LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE